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## Request for Continued Examination (RCE) Transmittal

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

Application No.	10/601,745
Filing Date	June 23, 2003
Named Inventor(s)	John J. Kenny
Group/Art Unit	2633
Examiner Name	Agustin Bello
Attorney Docket No.	08286.105020

OC 17 2005

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (mar. 20, 2000), 1222 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

### 1. Submission required under 37 C.F.R. § 1.114

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on \_\_\_\_\_. (Any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
  - iii.  Other \_\_\_\_\_.
- b.  Enclosed
  - i.  Amendment and Response Submitted Under 37 C.F.R. 1.116.
  - ii.  One-Month Petition for Extension of Time.
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other.

### 2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR § 1.17(i) required)
- b.  Other \_\_\_\_\_.

### 3. Fees (The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-0980.
  - i.  RCE Fee required under 37 CFR § 1.17(e) [Fee: \$395.00]
  - ii.  One-Month Extension of time fee \$60.00 (37 CFR §§ 1.136 and 1.17)
  - iii.  Other \_\_\_\_\_.
- b.  Check in the amount of \$\_\_\_\_\_ enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

### Signature of Applicant, Attorney or Agent Required

Steven P. Wigmore, Esq.

By: \_\_\_\_\_ Reg. No. 40,447

KING &amp; SPALDING LLP

Date: October 17, 2005

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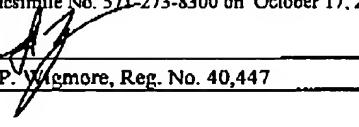
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### Certificate of Mailing or Transmission

I hereby certify that this correspondence is being facsimile transmitted to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attn: GAU: 2633, Examiner A. Bello, Facsimile No. 571-273-8300 on October 17, 2005.


  
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Steven P. Wigmore, Reg. No. 40,447

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